

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

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JUDY DOE NO. 1, et al.,

Plaintiff(s),

v.

WYNN RESORTS, LIMITED, et al.,

Defendant(s).

Case No. 2:19-CV-1904 JCM (VCF)

ORDER

Presently before the court is the matter of *Doe No. 1 et al. v. Wynn Resorts Limited et al.*, case number 2:19-cv-01904-JCM-VCF.

On July 15, 2020, this court granted defendant Wynn Las Vegas, LLC's ("WLV") motion to dismiss for failure to state a claim. (ECF Nos. 8, 81). Judgment was entered in WLV's favor on that same day. (ECF No. 82). Plaintiffs Judy Does 1-9 (collectively "plaintiffs") appealed. (ECF No. 83). On November 23, 2021, the Ninth Circuit affirmed in part, reversed in part, and remanded this case for further proceedings. (ECF No. 96). The order on mandate was entered on December 16, 2021. (ECF No. 99).

Pursuant to the Ninth Circuit's mandate, plaintiffs are permitted to file their amended complaint under fictitious names, at which point the court will reassess their motion to proceed under fictitious names (ECF No. 20), carefully applying the Ninth Circuit test as articulated in *Does I thru XXIII v. Advanced Textile Corp.*, 214 F.3d 1058 (9th Cir. 2000) and *Doe v. Kamehameha Schools*, 596 F.3d 1036 (9th Cir. 2010).

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1 Accordingly,

2 IT IS HEREBY ORDERED, ADJUDGED, and DECREED that plaintiffs have leave to
3 amend their complaint. Plaintiffs may file their amended complaint under fictitious names
4 within 30 days from the date of this order.

5 IT IS FURTHER ORDERED that the court's order (ECF No. 52) be, and the same
6 hereby is, VACATED as to its denying plaintiffs' motion to proceed under fictitious names. The
7 court shall reassess plaintiffs' motion (ECF No. 20) when and if plaintiffs file their amended
8 complaint.

9 The clerk is instructed to reopen the case accordingly.

10 DATED December 27, 2021.

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UNITED STATES DISTRICT JUDGE
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